

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SOLOMON WILLIAMS, et al.,

Plaintiffs,

v.

THE BOEING COMPANY, et al.,

Defendants.

No. C98-761P

ORDER DENYING
PLAINTIFFS' MOTION IN
LIMINE TO BAR DR.
HAWORTH FROM
TESTIFYING ABOUT DR.
WARD'S COHORT
ANALYSIS

This matter comes before the Court on Plaintiffs' motion in limine to bar Dr. Haworth from testifying about Dr. Ward's cohort analysis. (Dkt. No. 924). The Court DENIES Plaintiffs' motion.

Plaintiffs' motion is based in part on arguments that Dr. Ward should be barred from testifying about his cohort analysis. However, the Court has denied Plaintiffs' motion directed to Dr. Ward's testimony.

Plaintiffs also argue that Dr. Haworth, who has been designated as a rebuttal expert by Defendants, should be barred from testifying about Dr. Ward's cohort analysis because: (1) such testimony would be cumulative; and (2) such testimony would be a duplicative attempt to bolster Dr. Ward's testimony. However, the Court cannot determine whether testimony is cumulative or

1 duplicative until it has heard the original testimony. Before any rebuttal testimony will be
2 offered, the party offering will be required to give an offer of proof to ensure that the testimony
3 is not merely a repetition of prior testimony.

4 The clerk is directed to send copies of this order to all counsel of record.

5 Dated: December 2, 2005.

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7 s/Marsha J. Pechman
8 Marsha J. Pechman
9 United States District Judge
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